

### REMARKS

Applicants respectfully request consideration of the subject application as amended herein. This Amendment is submitted in response to the Final Office Action mailed May 1, 2009. Claims 1-6 and 8-32 stand rejected. In this Amendment, claims 1, 14, 15, 20, 31, and 32 have been amended. It is respectfully submitted that the amendments do not add new matter because support for the amendments may be found at least in paragraphs 86, 88, and 117-119 of the specification as originally filed. No claims have been canceled. Therefore, claims 1-6 and 8-32 are presented for examination. Applicants reserve all rights with respect to the applicability of the Doctrine of Equivalents.

### Summary of Interview

Applicants thank the Examiner for granting an Examiner Interview on July 21, 2009. In the Examiner Interview, the claims were discussed in light of the §101 rejection and §103 rejection with regard to reference U.S. Patent No. 5,835,722 to Bradshaw and U.S. Patent No. 6,233,618 to Shannon. In particular, possible clarifying amendments were discussed, which are reflected in the current claim amendments.

### 35 U.S.C. §112

Claims 1, 20 and 31-32 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. In particular, “the Examiner still believes the specification does not provide adequate detailed support for such amendment to describe that the indicated pre-selected data has been detected based on the abstract data structure without searching data elements of the pre-selected data, at all.” (Office Action, dated May 1, 2009, p. 3). Applicants have amended claims 1, 20 and 31 to describe:

receiving, by the client device from a server, **an abstract data structure derived from data elements of pre-selected data to be protected**, the pre-selected data being stored on the server, the positional information identifying **a position in the pre-selected data for each data element of the pre-selected data ...**

(Emphasis added).

The amendments have full support in the present specification. For example, paragraphs 86 and 88 describe embodiments of the invention, in which the abstract data structure contains positional information of each data element in the pre-selected data. The positional information

is used to perform the search. As described in the present specification, in some embodiments, the abstract data structure contains information about the relative placement of data record in the context of the larger whole. Therefore, applicants respectfully request that the Examiner withdraw the rejection under 35 U.S.C. §112, first paragraph.

Applicants have amended independent claim 32 to describe “storing the abstract data structure in memory of the client, the stored abstract data structure refraining from revealing the data elements of the pre-selected data to be protected.” The amendments have full support in the present specification. See, for example, paragraphs 88 and 117. Therefore, applicants respectfully request that the Examiner withdraw the rejection under 35 U.S.C. §112, first paragraph.

Claims 1, 20 and 31-32 stand rejected under 35 U.S.C. §112, second paragraph, as failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner stated that it “is unclear as to how there is an indication being detected based on the abstract data structure without searching the pre-selected data, when the abstract data structure is derived from the pre-selected data.” (Office Action, dated May 1, 2009, p. 4, item 9). Applicants have amended claims 1, 20 and 31 to describe “the indication being detected using the positional information in the abstract data structure identifying the position in the pre-selected data for each data element.” The amendments have full support in the present specification. For example, paragraphs 88 and 117-119 describe embodiments of the invention, in which searching uses the positional information in the abstract data structure stored on the client to detect, for example, if an email message contains data from the pre-selected data stored on the server. Independent claim 32 describes “the stored abstract data structure refraining from revealing the data elements of the pre-selected data to be protected.” The amendments have full support in the present specification. See, for example, paragraphs 88 and 117-119. Therefore, applicants respectfully request that the Examiner withdraw the rejection under 35 U.S.C. §112, second paragraph.

### **35 U.S.C. §103**

Claims 1-3, 6, 8-15, 20-21, 24-26 and 31-32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Bradshaw (U.S. Patent No. 5,835,722, hereinafter “Bradshaw”), in view of Shannon (U.S. Patent No. 6,233,618, hereinafter “Shannon”).

Bradshaw is directed to preventing future access to vulgar Internet sites and future creation of vulgar documents. Specifically, Bradshaw describes blocking attempts to access and transmit vulgar and pornographic material. In particular, Bradshaw blocks access to certain Internet sites, future production of documents, sending e-mail with vulgar and offensive words, etc. When a user types “mukky” in a word processor, Bradshaw blocks the system. When a user tries to find a pornographic site like “http://www.mukky.com” by typing “naked,” “bare,” and “sex” in a search engine, Bradshaw blocks the system.

Shannon describes a client that sends a packet, carrying a request for a web page, to a server. A network device that acts as a gateway between the client and the server receives the packet from the client before it is delivered to the server. The network device determines whether the client is trying to access a restricted web page by comparing the destination URL and the destination IP address in the packet against a database within the network device containing a list of URLs and IP addresses for restricted web pages. For example, the URL “alcohol.com” and IP address “213.56.3.12,” which is the home page of a brewery, are included in the database because no access is allowed to any client requesting access to “alcohol.com” or “213.56.3.12.” The network device matches the URL and IP address in a packet to the database list. If a client requests access to “alcohol.com” or “213.56.3.12,” the network device will deny the client access to the web page. If the network device does not match the URL or IP address from the packet to a URL or IP address in the database, the network device forwards the packet to the server.

Claim 1, as amended, recites in part receiving an abstract data structure derived from data elements of pre-selected data to be protected, the abstract data structure containing positional information identifying a position in the pre-selected data for each data element of the pre-selected data, and searching text contained in documents stored on media of a client device for an indication that at least a portion of pre-selected data stored on a server may be contained in the text of the documents, the indication being detected using the positional information in the abstract data structure identifying the position in the pre-selected data for each data element.

The Examiner acknowledges that Bradshaw does not teach or suggest receiving an abstract data structure derived from data elements of pre-selected data to be protected and cites Shannon for such teaching. Applicant respectfully disagrees.

Shannon does not teach or suggest the features lacking in Bradshaw. Shannon does not teach or suggest receiving an abstract data structure derived from data elements of pre-selected data to be protected because Shannon does not describe data elements of pre-selected data at all.

Shannon, instead, describes restricted web pages and a table (Table 3) listing the URLs and IP addresses of the restricted web pages. Table 3 in Shannon, therefore, is derived from restricted web pages which is the restricted data itself and is not equivalent to an abstract data structure derived from data elements of pre-selected data.

In addition, Shannon does not teach or suggest receiving an abstract data structure containing positional information identifying a position in the pre-selected data for each data element of the pre-selected data because Shannon, instead, describes a database having a list of URLs and IP addresses for restricted web pages. As seen in Shannon Table 3, reproduced below, the URLs and the IP addresses do not identify a position in the pre-selected data for each data element of the pre-selected data because the URLs and the IP addresses are identifying the location of the restricted data itself and not data elements. The URL “alcohol.com” and IP address “213.56.3.12” are included in the database because no access is allowed to any client requesting access to “alcohol.com” or “213.56.3.12.” The URL “alcohol.com” and IP address “213.56.3.12,” therefore, identify the location of the home page of a brewery which is the restricted data itself. Moreover, Shannon does not describe a position in the pre-selected data for each data element of the pre-selected data because the URLs and IP addresses in Shannon identify the location of the restricted data in a network.

TABLE 3			
Category/Destination Data			
CATEGORY	URLS	URL SEGMENTS	IP ADDRESSES
1. Alcohol	alcohol.com, www.drink.com, www.intoxicated.com	/www.drink.com/m argarita	12.34.105.23 213.56.3.12 224.0.0.0
2. Alternative Lifestyle	/www.hermit.com	/www.recluse.com/ hate-people	201.2.123.67 145.23.1.231
...	...	...	...

Shannon, therefore, fails to teach or suggest “receiving ... an abstract data structure derived from data elements of pre-selected data to be protected...the abstract data structure containing positional information identifying a position in the pre-selected data for each data element of the pre-selected data,” as required by claim 1 as amended. Much less does Shannon teach or suggest “the indication being detected using the positional information in the abstract

data structure identifying the position in the pre-selected data for each data element of the pre-selected data,” as set forth in claim 1 as amended.

Hence, Shannon is missing the same limitations as Bradshaw. Accordingly, the combination of the cited references does not teach or suggest the limitations of the present invention that are included in the language of claim 1 as amended. Similar language is also included in independent claims 20 and 31. Accordingly, the present invention as claimed in independent claims 1, 20 and 31 and their corresponding dependent claims are patentable over the cited references.

Independent claim 32, as amended, recites in part:

receiving an abstract data structure derived from data elements of pre-selected data to be protected, the pre-selected data being stored on a server;  
storing the abstract data structure in memory of the client, the stored abstract data structure refraining from revealing the data elements of the pre-selected data to be protected...

As noted above, the Examiner acknowledges that Bradshaw does not teach or suggest receiving an abstract data structure derived from data elements of pre-selected data to be protected. Much less does Bradshaw teach or suggest storing the abstract data structure in memory of the client, the stored abstract data structure refraining from revealing the data elements of the pre-selected data to be protected.

Shannon does not teach or suggest the features lacking in Bradshaw. As noted above, Shannon describes restricted web pages and a table listing the URLs and IP addresses of the restricted web pages. Nowhere does Shannon describe data elements of pre-selected data to be protected because the web pages are the restricted data itself and are not data elements. Table 3 in Shannon, therefore, is derived from restricted web pages which is the restricted data itself and is not equivalent to an abstract data structure derived from data elements of pre-selected data. Moreover, Shannon describes the database is within a network device that receives a packet from a client. Shannon, therefore, distinguishes a network device from a client and therefore, fails to teach or suggest “storing the abstract data structure in memory of the client, the stored abstract data structure refraining from revealing the data elements of the pre-selected data to be protected,” (Emphasis added).

Therefore, the combination of the cited references does not teach or suggest the limitations of the present invention that are taught in claim 32. Accordingly, the present invention as claimed in independent claim 32 is patentable over the cited references.

Claims 4, 16-19, 22 and 27-30 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Bradshaw, in view of Shannon, and further in view of Brandt (U.S. Patent No. 5,892,905, hereinafter “Brandt”) filed December 23, 1996. Claims 4 and 16-19 are dependent on claim 1. Therefore, claims 4 and 16-19 include the same limitations as claims 1. Claims 22 and 27-30 are dependent on claim 20. Therefore, claims 22 and 27-30 include the same limitations as claims 20. As noted above, the combination of Bradshaw and Shannon do not teach or suggest the limitations recited in claims 1 and 20. These features are also missing from Brandt. Brandt provides a common user interface for a software application accessed via the Internet. A software application runs on a web server computer system. However, Brandt does not teach or suggest the limitations recited in claim 1. Thus, claims 4, 16-19, 22 and 27-30 are patentable for at least the same reasons as given above with respect to claims 1 and 20.

Claims 5 and 23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Bradshaw, in view of Shannon, further in view of Brandt, and further in view of Dascalu (US Patent No. 5,958,015) filed October 29, 1996. Claim 5 is dependent on claim 4, which is dependent on claim 1. Therefore, claim 5 includes the same limitations as claim 1. Claim 23 is dependent on claim 20. Therefore, claim 23 includes the same limitations as claim 20. As noted above, the combination of Bradshaw, Shannon, and Brandt do not teach or suggest the limitations recited in claims 1 and 20. These features are also missing from Dascalu. Dascalu teaches a session wall that listens to communications sent over the network. It listens to communication messages exchanged between a client and a server and determines whether the messages can be permitted based on stored access rules. However, Dascalu does not teach or suggest the limitations recited in claims 1 and 20. Thus, claims 5 and 23 are patentable for at least the same reasons as given above with respect to claims 1 and 20.

Applicants respectfully request the withdrawal of the rejections under 35 U.S.C. §103(a) and submit that all pending claims are in condition for allowance, which action is earnestly solicited.

**Deposit Account Authorization**

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact the undersigned at (408) 720-8300.

Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: August 3, 2009 \_\_\_\_\_ /Joan Obispo Arbolante/ \_\_\_\_\_  
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